

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN  
(MILWAUKEE DIVISION)**

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KARLA HERNANDEZ; RUBEN ALBANIL;  
JOSE ALAN HERNANDEZ; GILBERTO  
GONZALEZ; JESUS FLORES; and ARACELI  
RODRIGUEZ,

Plaintiffs,

v.

**CIVIL ACTION NO. 2:16-00571**

CHIPOTLE MEXICAN GRILL, INC.

Defendant.

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**PLAINTIFFS' MOTION FOR VOLUNTARY DISMISSAL**

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Plaintiffs' hereby move for the voluntary dismissal of this case pursuant to FRCP Rule 41(a)(2), based upon the following:

1. Plaintiffs' commenced this action in state court alleging violations of the Wisconsin Wage Payment Act, Wis. Stats. 109.03(5) and the Federal Labor Standards Act, 29 U.S.C. § 201, et seq. ("FLSA").
2. Defendant thereafter removed the case to federal court pursuant to 28 U.S.C. § 1441.
3. Plaintiffs' desire to dismiss this case.
4. Defendant' counsel has informed Plaintiffs' counsel it does not join in this motion, making Court approval necessary under FRCP Rule 41(a)(2).
5. This dismissal should be without prejudice in accordance with Rule 41(a)(2).
6. No memorandum or other supporting papers will be filed.

WHEREFORE, the motion to dismiss this action should be granted and the case be dismissed without prejudice.

Dated this 10th day of October, 2016.

ARELLANO & PHEBUS, S.C.  
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